

REMARKS

As a preliminary matter, claims 1 and 3-15 are objected to based on the reasons set forth on page 2 of the present Office Action. Applicant amends claims 1, 14, and 15, as indicated herein, and Applicant believes that the Examiner's objections to claims 1 and 3-15 are obviated.

Also, the drawings were corrected in the Amendment dated September 5, 2006.

Claims 1-39 are all the claims pending in the present application. In summary, the Examiner maintains most of the same rejections set forth in the previous Office Action, and adds a few new arguments in the *Response to Arguments* section of the present Office Action. Specifically, claims 1-7, 14-22 and 29-33 are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Molno (U.S. Publication Application No. 2001/0030949). Claims 8-13, 23-28 and 34-39 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Molno in view of Hautamaki (U.S. Patent Application Publication No. 2001/0038614), and further in view of Ramjee (U.S. Patent No. 6,842,462).

§ 102(e) Rejections (Molno) - Claims 1-7, 14-22 and 29-33

The technical problem in Molno is the scheduling of associated signaling information (see in particular section 0001). In other words, the technical problem in Molno is the transmission of control signals in packet transfer mode, i.e. when occupied in a data transfer on an allocated transmission resource (see in particular section 0011). More precisely, the technical problem in Molno is that, in packet switched networks such as EGPRS/GPRS, signalling of control signals while occupied in data transfer is typically handled by transmission on a channel called PACCH that shares transmission resource with the associated data stream (in other words transmission of control information interrupts an ongoing data transfer).

To solve the above-mentioned problem, Molno teaches that in circuit switched networks such as GSM, there is a specific channel called SACCH for control or associated signalling, such that transmission of control information does not introduce interrupts in the ongoing traffic communication (see in particular section 0012).

Therefore, Molno proposes to solve the above-mentioned problem in packet switched networks, by using the same kind of solution as in circuit switched networks, i.e. Molno proposes to introduce such a SACCH in a packet switched system (see in particular section 0013).

An exemplary technical problem in the present application can be summarized as follows. When a mobile station needs resources to send data in uplink (either signalling data or user data), the mobile station sends to the network a resource request, and the network then allocates resources to the mobile station, based on this request. In certain systems, the mobile station may have the choice between different types of resource requests (for example GPRS request and EGPRS request), including a type of resource request which is best suited for the needs of signalling data transfer (for example GPRS request), and a type of resource request which is best suited for the needs of user data transfer (for example EGPRS request).

In the prior art as discussed in the present application, when a mobile station needs resources to send signalling data in uplink, it sends to the network a type of resource request which is best suited for the needs of signalling data transfer (and in the same way, when a mobile station needs resources to send user data in uplink, it sends to the network a type of resource request which is best suited for the needs of user data transfer).

Contrary to the prior art, an exemplary embodiment of the present invention proposes that when a mobile station needs resources to send signalling data in uplink, it sends to the network a type of resource request which is best suited for the needs of user data transfer.

Indeed, as explained in the present application, the present invention has realized that this enables to avoid certain drawbacks, in particular when such allocation of resources for the sending of signalling data in the uplink is capable of generating an allocation of resources for the sending of user data in the downlink.

Therefore, it can be seen that the technical problem and the solution to this technical problem are very different in Molno and in an exemplary embodiment of the present invention. Furthermore Molno is not at all concerned with the sending of a resource request by a mobile station to the network.

In the cited passages of Molno, resources are considered as already allocated, and it is not the purpose of Molno to look at how they were allocated.

At least based on the foregoing, as well as the arguments set forth in the previous Amendment, Applicant submits that Molno does not anticipate claims 1-7, 14-22 and 29-33.

§ 103(a) Rejections (Molno / Hautamaki / Ramjee) - Claims 8-13, 23-28, and 34-39

Applicant submits that dependent claims 8-13, 23-28, and 34-39 are patentable at least by virtue of their respective dependencies. Neither Hautamaki nor Ramjee makes up for the deficiencies of Molno

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT
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Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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